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Human rights situations that require the Council's attention

Written statement* submitted by the People's Solidarity for Participatory Democracy, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



Human Rights in the Democratic People's Republic of Korea*

We, civil society organisations in the Republic of Korea (ROK or South Korea), share the concerns of the international community on the poor human rights situation in the Democratic People's Republic of Korea (DPRK or North Korea). North Korean human rights issues are closely related to the division of Korean people on the Korean Peninsula and the military tension in Northeast Asia. We, therefore, believe that efforts to enhance the human right situation in the DPRK should rely upon a comprehensive and effective approach, which requires sound criticism on and cooperation with the government of the DPRK.

North Korean human rights issues should not be limited to the situation inside the DPRK. They cover human rights concerns of all North Korean people, their separated families, and relatives, regardless of their place of residence. They consist of three parts: 1) human rights of people who are living in the DPRK, 2) human rights of DPRK defectors in the ROK or a third country, 3) human rights and humanitarian concerns for people such as prisoners of war, separated families and abductees.

Militarism and under-development that are the main causes of human rights violations in the DPRK are caused by the political and economic systems of the country. At the same time, armistice systems that have been in place for more than 60 years, along with the U.S. sanctions imposed on the DPRK since its establishment also affected human rights violations within the DPRK. North Korean human rights issues should not be limited to the human rights violation inside the country only, but should be understood as human rights across the Korean Peninsula. Therefore, blaming the government of the DPRK as the only perpetrator of human rights violations in the country is a narrow approach and raises concerns on politicising public discourses on North Korean human rights.

It would not be effective in protecting human rights of North Korean people without getting cooperation from the government of the DPRK. The UN human rights mechanisms have been urging the government of the DPRK to enhance human rights of its own people and calling for attention and participation of the international community to improve the situation. Unfortunately, in response to these concerns, the government of the DPRK has refused to work together with the majority of the international community but have cooperated selectively with some UN human rights mechanisms and a few governments. This is also due to the UN Command confronting the DPRK along with many countries and organizations, including the UN Security Council are imposing sanctions against the DPRK. We urge both the international community and the government of the DPRK to put their full efforts to build constructive and cooperative relationships with each other through the normalization of human rights dialogues and technical cooperation. At the same time, the consequences of the current sanctions on the human rights situation in the DPRK should be fully examined.

We believe that pressuring and isolating the DPRK from the international community will not bring positive results in improving its human rights. Therefore, building trust with the DPRK is required to make positive changes in the North Korean human rights situation. In this regard, North Korean Human Rights Act of 2004 by the U.S., Act on Handling of Abduction Issues and Other Human Right Issues Related to North Korean Authorities of 2006 by Japan and North Korean Human Rights Act which is being discussed by the National Assembly of the ROK would not be effective in enhancing human rights situation in the DPRK. Since the ROK and the DPRK established different political and economic systems, both governments have been confronting each other ideologically and militarily. This situation put the ROK in enhanced difficulty where it should actively work on improving human rights in the DPRK while ensuring that human rights concerns are not raised as a means to impose political pressure to the government.

We propose the following three ways to improve the human rights situation in the DPRK.

First, the international community should continue to monitor the human rights situation in the DPRK and suggest solutions for the improvement of human rights in the DPRK while supporting its human rights infrastructure and encouraging its efforts to advance human rights of its own people. We should remember that in the past, political and

military intervention by the international community under the cause of the promotion and/or protection of human rights often ends in catastrophe.

Second, it is necessary to take comprehensive approaches towards human rights issue of the DPRK. In addition to those rights enshrined in the five international human rights treaties¹ that the government of the DPRK has ratified and signed, other rights such as the right to development, right to peace and cultural rights should also be taken into consideration. Among all, to guarantee rights to peace for all people residing in the Korean Peninsula, economic sanctions against the DPRK should be lifted, confrontations between two Koreas should be turned into a cooperative relationship and a dialogue on denuclearization of the Korean Peninsula should be resumed immediately.

Third, enhancing the human rights situation in the DPRK should be in line with other universal values enshrined in the UN Charter, Vienna Declaration and the Programme of Action along with other international human rights treaties. Based on these values, humanitarian aid and efforts to settle peace in the Korean Peninsula should also be continued. The international community, including the ROK should embrace development, humanitarianism and peace to enhance the human rights of the North Korean people.

We call upon the government of the DPRK:

- To establish practical measures to protect and promote human rights in the country;
- To accept technical cooperation to improve human rights, instead of denying and refusing its human rights violations.

We call upon the international community:

- To continue monitoring human rights in the DPRK, providing technical cooperation and human rights dialogue with the DPRK;
- To ensure that the Commission of Inquiry on DPRK should have balanced and careful approach to effectively improve the human rights situation in the DPRK;
- To support humanitarian aid and development aid to be carried out together for sustainable development of the DPRK because humanitarian aid goes beyond the right to survival;
- To urge all parties concerned, including the two Koreas, to participate in political dialogue in order to solve humanitarian issues including reunions for separated families and abductees during/after the Korean War;
- To support efforts to transit from an armistice to peace system to guarantee the right to peace for all people in the Korean Peninsula and to prepare a peaceful reunification for the Korean Peninsula; and
- To support improvement of the relationship between the two Koreas, the DPRK and the U.S. and the DPRK and Japan, while lifting sanctions and military pressures against the DPRK.

* Catholic Human Rights Committee, Democratic Legal Studies Association, Human Rights Foundation SARAM, Korea Human Rights Policy Institute, Peace Network and Seoul Migrant Workers Center non-governmental organisations without (ECOSOC) consultative status also endorse the joint written statement. Attorney LEE, Sock-Bum, Chairman, North Korea Human Rights Subcommittee of Korean Bar Association NGO(s) without consultative status, also share the views expressed in this statement.

¹ International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention to Eliminate All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), and Convention on the Rights of Persons with Disabilities (CRPD). The government of the DPRK signed the CRPD but not ratified it yet.